not been delegated to the State, prior to directly affecting Federal lands, and if necessary, prohibit the operator from directly affecting Federal lands under the permit, revised permit, or permit renewal until after the Secretary’s approval has been received.

3. Reserve the right to modify the permit, permit revision, or permit renewal, when appropriate, in order to resolve conflicts between the permit requirements and the requirements of other laws, rules and regulations administered by the Secretary, so that all requirements placed upon an operation are consistent and uniform.

VIII: Resolution of Conflict

A. Every effort will be made to resolve errors, omissions and conflicts on data and data analysis at the State and field level.

B. Areas of disagreement between the State and the Department shall be referred to the Governor and the Secretary for resolution.

[47 FR 44217, Oct. 6, 1982]

PART 910—GEORGIA

Sec.
910.700 Georgia Federal program.
910.701 General.
910.702 Exemption for coal extraction incidental to the extraction of other minerals.
910.707 Exemption for coal extraction incidental to government-financed highway or other construction.
910.761 Areas designated unsuitable for surface coal mining by Act of Congress.
910.762 Criteria for designating areas as unsuitable for surface coal mining operations.
910.764 Process for designating areas unsuitable for surface coal mining operations.
910.772 Requirements for coal exploration.
910.773 Requirements for permits and permit processing.
910.774 Revision; renewal; and transfer, assignment, or sale of permit rights.
910.775 Administrative and judicial review of decisions.
910.777 General content requirements for permit applications.
910.778 Permit applications—minimum requirements for legal, financial, compliance, and related information.
910.779 Surface mining permit applications—minimum requirements for information on environmental resources.
910.780 Underground mining permit applications—minimum requirements for reclamation and operation plan.
910.781 Surface mining permit applications—minimum requirements for information on environmental resources.
910.784 Underground mining permit applications—minimum requirements for reclamation and operation plan.
910.785 Requirements for permits for special categories of mining.
910.795 Small operator assistance.
910.800 General requirements for bonding of surface coal mining and reclamation operations.
910.815 Performance standards—coal exploration.
910.816 Performance standards—surface mining activities.
910.817 Performance standards—underground mining activities.
910.819 Special performance standards—auger mining.
910.823 Special performance standards—operations on prime farmland.
910.824 Special performance standards—mountaintop removal.
910.827 Special performance standards—coal processing plants and support facilities not located at or near the minesite or not within the permit area for a mine.
910.828 Special performance standards—in situ processing.
910.842 Federal inspections.
910.843 Federal enforcement.
910.845 Civil penalties.
910.846 Individual civil penalties.
910.955 Certification of blasters.

AUTHORITY: 30 U.S.C. 1201 et seq.

SOURCE: 47 FR 36399, Aug. 19, 1982, unless otherwise noted.

§ 910.700 Georgia Federal program.

(a) This part contains all rules that are applicable to surface coal mining operations in Georgia which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

(b) The rules in this part cross-reference pertinent parts of the permanent program regulations in this chapter. The full text of a rule is in the permanent program rule cited under the relevant section of the Georgia Federal program.

(c) The rules in this part apply to all surface coal mining operations in Georgia conducted on non-Federal and non-Indian lands. The rules in Subchapter D of this chapter apply to operations on Federal lands in Georgia.

(d) The information collection requirements contained in this part do not require approval by the Office of Management and Budget under 44 U.S.C. 3507 because there are fewer than ten respondents annually.
(e) The following provisions of Georgia laws provide, where applicable, for more stringent environmental control and regulation of surface coal mining operations than do the provisions of the Act and the regulations in this chapter. Therefore, pursuant to section 505(b) of the Act, they shall not be construed to be inconsistent with the Act:
(1) Georgia Code Ann. section 56–412 pertaining to limitation of risks for insurance companies.
(2) Georgia Code Ann. section 414–1306 pertaining to the limitation on loan amounts made by banks.
(4) Chapter 391–34 of the rules of the Department of Natural Resources, Environmental Protection Division, pertaining to solid waste management.
(5) Georgia Seed Laws and Rules and Regulations containing the Noxious Weed List.

(f) The following are Georgia laws that interfere with the achievement of the purposes and requirements of the act and are, in accordance with Section 504(g) of the Act, preempted and superseded:
(1) The Georgia Surface Mining Act of 1968, Georgia Code Ann. Section 43–1401 et seq., but not to the extent that it regulates surface coal mining operations which affect two acres or less or are otherwise not regulated by the Surface Mining Control and Reclamation Act.
(2) Rules for Land Reclamation, Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391–3–3(1976), but not to the extent that such regulations apply to surface coal mining operations which affect two acres or less or are otherwise not regulated by the Surface Mining Control and Reclamation Act.

§ 910.702 Exemption for coal extraction incidental to the extraction of other minerals.
Part 702 of this chapter, Exemption for Coal Extraction Incidental to the Extraction of Other Minerals, shall apply to anyone who conducts coal extraction incidental to the extraction of other minerals for purposes of commercial use or sale.

§ 910.707 Exemption for coal extraction incident to government-financed highway or other construction.
Part 707 of this chapter, Exemption for Coal Extraction Incidental to Government-Financed Highway or Other Construction, shall apply to surface coal mining and reclamation operations.

§ 910.761 Areas designated unsuitable for surface coal mining by Act of Congress.
Part 761 of this chapter, Areas Designated by Act of Congress, shall apply to surface coal mining and reclamation operations.

§ 910.762 Criteria for designating areas as unsuitable for surface coal mining operations.
Part 762 of this chapter, Criteria for Designating Areas Unsuitable for Surface Coal Mining Operations, shall apply to surface coal mine operations beginning on April 9, 1983.

§ 910.764 Process for designating areas unsuitable for surface coal mining operations.
Part 764 of this chapter, State Processes for Designating Areas Unsuitable for Surface Coal Mining Operations, pertaining to petitioning, initial processing, hearing requirements, decisions, data base and inventory systems, public information, and regulatory responsibilities shall apply to surface coal mine operations beginning on April 9, 1983.

§ 910.772 Requirements for coal exploration.
(a) Part 772 of this chapter, Requirements for Coal Exploration, shall apply to any person who conducts or seeks to conduct coal exploration operations.